IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.7033/2010

32 CIVIL APPLICATION NO. 7033 OF 2010
IN FA/207/2000 WITH CA/3828/2000 IN FA/207/2000 WITH
CA/6755/2001 IN FA/207/2000

HARISHCHANDRA EKNATH ADEKAR
VERSUS
THE STATE OF MAH AND ORS
...
Advocate for Applicants : M D Shinde, absent.
AGP for Respondents:Mr.R.P.Phatke
Mr.R.P.Phatke for R/1 To 3
Mr.R R Imale For R/6.
...
CORAM : K.U. CHANDIWAL, J.
Dated: January 16, 2014
...

PER COURT :-

1. Mr.Shinde, learned Counsel for applicant in CA No. 7033/2010 called, absent. Application is moved for allowing the applicants to be added as necessary party / respondent in the First Appeal. The applicants were not party in the original proceedings and even if they referred that their forefathers names were at Sr.Nos.72 and 73, however, since they were not party, there is no reason to implead them as party respondent.

Application (No.7033/2010) is dismissed.

2. Heard learned Counsel for applicant in CA No. 3828/2000. He has made application for bringing legal representatives of deceased respondent no.14. Names of legal representatives are mentioned in the application.

Legal representatives of respondent no.14 be brought on record within fourteen days.

Civil Application No.3828/2000 allowed accordingly.

3. Heard learned Counsel for applicant in CA no. 6755/2001. The State has moved an application for restoration of Appeal No.207/2000 wherein on 9.11.2001 Rule was issued. Considering the reasons assigned, the order of dismissal is recalled.

C.A.No.6755/2001 allowed. Appeal be restored to original position at the risk of appellant State. Cost of Rs.1,000/- payable to each of the respondents. Learned A.G.P. will inform respondents in the appeal about restoration.

(K.U. CHANDIWAL, J.)

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